

February 23, 2009

The Common Council met as the Water Utility Board at 7:00 p.m. on the above date in the Meeting Room at City Hall Annex with Mayor Pro Tem Curtis presiding and members Askren, Fuelling, Hoehn, and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Chief Beloit; Chief Waters; Tom Hogan and Rich DeMarco – Johnson Controls, Inc.; Mindy Bourne – Posey County Area Plan Commission; Larry Bogan; Angie Davis; Amy Moore – Mount Vernon Democrat; Pam Robinson – Posey County News; and arriving during the meeting, Jerry Walden; Dave and Judy Whitten; Supt. Givens; and Comm. Maynard.

Mayor Pro Tem Curtis called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented. Board member Higgins moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Fuelling. Mayor Pro Tem Curtis stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously. Jerry Walden arrived at the meeting.

Mayor Pro Tem Curtis requested action on the claims presented. Board member Askren moved the claims presented be allowed for payment. Seconded by Board member Hoehn. Mayor Pro Tem Curtis asked if there was any discussion ? There was none. Mayor Pro Tem Curtis stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

*****CLAIMS*****

Mayor Pro Tem stated they will now hear the report of the Water Superintendent. Supt. Gray stated Mr. DeMarco of JCI will present an update on the water project. Mr. DeMarco then presented the following update to the Board:

- Steady progress continues at the Mt. Vernon Water Treatment, Keck and North locations:

New Filter Building:

- Installed the following:
 - Facility piping and valve installation is 100% complete
 - Trident Filters internal assembly is 100% completed
 - Electrical control wiring and panel installations is at 100%
 - Road gravel, concrete walks, fencing and misc. items will be completed by early March
 - Start up of main electrical and mechanical systems has started today

Lamellas Pre-Treatment System

- Two of the three pumps have been installed. Pump three is scheduled for

February 25th

- Completion scheduled for February 27th

Backwash Supply Pump House #160

- Piping and Pumps installation 10%
- Electrical installation 98%
---Misc. controls wiring to be completed
- Start up scheduled for February 27th

Keck Facility

- Main water line tie-in completed
- Mechanical piping and Pumps 100%
- Electrical work 90%
---Vectren 480 Vac power approved
- Start up scheduled for March 12th

North Facility

- PPMI excavation planned for March 9th. Estimated completion to be 8-9 weeks from the initial start

Mr. DeMarco asked if there were any questions ?

Board member Hoehn questioned if the pumps were in at the Keck location ?

Mr. DeMarco replied yes.

Supt. Givens arrived at the meeting.

Mayor Pro Tem Curtis asked if there were any other questions ?

There were none.

Mayor Pro Tem Curtis asked if the Clerk-Treasurer had any Communications for the Board ?

Clerk-Treasurer Wolfe replied not at this time.

Mayor Pro Tem Curtis asked if there were any Legals for consideration ?

Attorney Higgins stated she has the Water Agreement for Mycogen Seeds ready for signature. She reminded the Board their service had already been approved at a previous meeting, this is the final paperwork for their signature.

Board ten signed the Agreement.

Comm. Maynard arrived at the meeting.

Mayor Pro Tem Curtis asked if anyone in the Audience wished to address the Board ?

There was no response.

Mayor Pro Tem Curtis asked if there were any Old Business ?

There was none.

Mayor Pro Tem Curtis stated he does have an item for New Business. He then stated he will now put on his Water Chairman hat and discuss the intakes for a minute. He explained as the Board is aware, along with the new water treatment plant, the intakes also need to be addressed, as they have known for some time. He added there may be some stimulus money out there from the federal government for projects

such as this. He stated JCI has been looking into this as a possible funding option, but the deadline to apply is THIS Friday, February 27. He added any preliminary engineering studies would have to be in and completed by March 13, 2009 – which could cost the city anywhere from \$40,000 to \$80,000, depending on the number of engineering hours involved. He then stated they would also be looking at the city's rate structure in determining the city's priority ranking, and the city's rates are relatively low actually. He then asked the Board if they try to pursue this at a cost of \$40,000 to \$80,000, in the HOPES that they MIGHT qualify for the stimulus package ? He then stated he would open this up for discussion, adding the risks are great.

Board member Higgins stated the intakes do need addressed, and wondered how long they would last at this point ?

Mayor Pro Tem Curtis replied 18 months initially, though they did hear they could last 10 – 15 years. He added they had already planned to continue using these as a back up, but there were initially supposed to last 18 months.

Attorney Higgins stated as the Board is aware, the stimulus package information is changing daily, and SRF seems to be the primary source for funding, there could be others through a State task force. She added they have set up a web portal, but any projects for consideration must be submitted there by Wednesday, and she believes Mayor Tucker was working on a list today.

Mayor Pro Tem Curtis stated he spoke with Mayor Tucker today about the intakes being included on that list.

Supt. Gray agreed and added they have five items on that list.

Board member Hoehn stated it sounds like the chances of getting any of this stimulus money, due to the city's rates, are slim to none.

Mayor Pro Tem Curtis stated his opinion is that it would not be prudent to jump into this right now when money is tight. He does not recommend they go forward.

Board member Hoehn agreed and added they currently have a direction they are taking and she feels they should stay on task. She then stated the intakes may not qualify but possibly the sewer CSO's may.

Mr. Hogan stated he agrees with Mayor Pro Tem Curtis' recommendation and feels things are just too sketchy to go forward. He added there is only \$26M available in SRF for drinking water projects and that won't go far, but there is grant money out there that no one is currently going after. He stated they may be able to do Phase III with grant money.

Board member Fuelling stated he would like to thank Mr. Hogan and JCI for making the Board aware of the information and these deadlines.

Mayor Pro Tem Curtis stated if there was no further business, he entertains a motion to adjourn.

Board member Fuelling moved the meeting be adjourned. Seconded by Board member Hoehn.

Mayor Pro Tem Curtis stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

John Tucker
Mayor

ATTEST:

Cristi L. Wolfe

Clerk-Treasurer

The Common Council met immediately following the Water Utility Board on the above date in the Meeting Room at City Hall Annex with Mayor Pro Tem Curtis presiding and members Askren, Fuelling, Hoehn, and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Chief Beloit; Chief Waters; Tom Hogan and Rich DeMarco – Johnson Controls, Inc.; Mindy Bourne – Posey County Area Plan Commission; Larry Bogan; Angie Davis; Amy Moore – Mount Vernon Democrat; Pam Robinson – Posey County News; Jerry Walden; Dave and Judy Whitten; Supt. Givens; and Comm. Maynard.

Mayor Pro Tem Curtis called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented. Councilwoman Askren moved the reading of the minutes be waived and they be approved as presented. Seconded by Councilwoman Hoehn.

Mayor Pro Tem Curtis stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Pro Tem Curtis stated they will now hear the reports of the Standing Committees.

Street & Light Chairwoman Hoehn stated she would like to thank the street department for all of their hard work during and after the ice storm. She added she heard on the news where Evansville was just starting their clean up, and they had stipulations on what they would pick up. She stated Mt. Vernon had already had so much clean up done – they have done a great job and she really appreciates it.

Mayor Pro Tem Curtis agreed and added all the departments worked equally as hard. He then asked if there were any questions ?

There were none.

Police & Dog Chairwoman Askren stated she has no report.

Chief Beloit stated he has no report.

Mayor Pro Tem Curtis asked if there were any questions ?

There were none.

Fire Chairman Fuelling stated he is happy to have Chief Water back on the job and out of the hospital.

Chief Waters reported the department made 27 runs since their last meeting.

Mayor Pro Tem Curtis asked if there were any questions ?

There were none.

Sewer Chairwoman Higgins stated she has no report.

Supt. Givens reported the LP diffusers arrived today, all the piping work has been done and they should be putting everything together tomorrow, weather permitting.

Mayor Pro Tem Curtis asked if there were any questions ?

There were none.

Councilwoman Hoehn stated she believes Comm. Maynard has a report after all.

Comm. Maynard reported they are still picking up limbs, going neighborhood by neighborhood, and they will come back if someone was missed. He then asked that folks not place limbs under power lines, as the bucket truck has a hard time getting to them, and he would also ask that they cut and stack them as neatly as possible. He concluded by asking that the limbs be placed by the streets instead of in the alleys as well.

Mayor Pro Tem Curtis asked if the Clerk-Treasurer had any Communications for the Council ?
Clerk-Treasurer Wolfe replied not at this time.

Mayor Pro Tem Curtis stated they are now ready for the Legal portion of the Agenda.

Attorney Higgins stated the first item is the first reading of an Ordinance to Amend the City of Mt. Vernon Code of Ordinances, Title 15-Land Usage, Chapter 153-Zoning Code, Section 153.221-Paragraph E. Improvement Location Permit. She added Ms. Bourne of the Area Plan is present tonight to address this.

Ms. Bourne stated this ordinance is simply to change one word: MAY be revoked to SHALL be revoked.

Mayor Pro Tem Curtis asked if there were any questions ?

There were none.

Councilwoman Askren moved the ordinance pass first reading. Seconded by Councilman Fuelling.

Mayor Pro Tem Curtis asked if there was any discussion ?

Councilwoman Hoehn asked if in a situation such as the ice storm, there would be a delay in construction, would citizens then be issued a continuance ?

Ms. Bourne replied yes, they would be issued another permit and there is no charge for the permit itself.

Mayor Pro Tem Curtis then requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Higgins – yes.

Mayor Pro Tem Curtis stated the motion carried.

Councilwoman Askren moved the rules be suspended. Seconded by Councilman Fuelling.

Mayor Pro Tem Curtis then requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Higgins – yes.

Mayor Pro Tem Curtis stated the motion carried.

Councilwoman Askren moved the ordinance pass on second and third readings. Seconded by Councilman Fuelling.

Mayor Pro Tem Curtis then requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Higgins – yes.

Mayor Pro Tem Curtis stated the motion carried.

Clerk-Treasurer Wolfe added it will be numbered 09-03A.

Attorney Higgins stated the next item also involves the Area Plan Commission. It is an Ordinance to Rezone Certain Real Estate in the City of Mt. Vernon, State of Indiana, More Commonly Known as 205 Brown Street, City of Mt. Vernon, in Black Township, Posey County, IN, from CG (commercial general) to RS (residential single family).

Ms. Bourne stated this request was heard February 12 and passed unanimously. She reminded the Council this is the house that used to be Second Chances and Denbecks, and all other parcels in the area are residential.

Councilwoman Askren moved the ordinance pass first reading. Seconded by Councilman Fuelling.

Mayor Pro Tem Curtis asked if there was any discussion ?

There was none.

Mayor Pro Tem Curtis requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Higgins – yes.

Mayor Pro Tem Curtis stated the motion carried unanimously.

Councilman Fuelling moved the rules be suspended. Seconded by Councilwoman Askren.

Mayor Pro Tem Curtis asked if there was any discussion ?

Councilwoman Hoehn asked if they can proceed ?

Attorney Higgins replied they can proceed, but normally the Council does three readings on a rezoning, though it is up to the Council. She added though this is a reverse rezoning.

Mayor Pro Tem Curtis requested a roll call vote on the rules suspension.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Higgins – yes.

Mayor Pro Tem Curtis stated the motion carried unanimously.

Councilwoman Askren moved the ordinance pass on second and third readings. Seconded by Councilwoman Higgins.

Mayor Pro Tem Curtis asked if there was any discussion ?

Councilwoman Hoehn asked why Council wouldn't wait to pass this, as they have set a precedent in the past in how they handle rezonings ? She added though it is a reversal she would like to give an opportunity for the public to speak on it. She suggested they wait until the next meeting.

Councilwoman Askren added there were no remonstrators at the APC meeting where this passed.

Mayor Pro Tem Curtis stated as Councilwoman Hoehn pointed out, he can not remember doing all three readings on a rezoning in one night, though it is rare that anyone objects at the second meeting.

Attorney Higgins suggests the motion be amended to pass on second reading only.

Councilman Askren then moved Councilman Fuelling's motion be amended to pass the ordinance on second reading only. Seconded by Councilman Fuelling.

Mayor Pro Tem Curtis requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Higgins – yes.

Mayor Pro Tem Curtis stated the motion carried unanimously.

Attorney Higgins stated the final item is a request from Fire Chief Waters to create a new position –

Second Assistant Fire Chief – which he feels would be helpful in the administration of his department to establish authority when he and First Asst. Chief may be out of town, etc. She added it is an Ordinance to Creating the Position of Second Assistant Fire Chief within the Mount Vernon Fire Department.

Mayor Pro Tem asked if Chief Waters would like to add anything ?

Chief Waters replied he would be happy to answer any questions.

Councilwoman Hoehn state his budget is already set, and these are really tight times, will this change the fire department salary package ?

Chief Waters replied by only a few hundred dollars on the year.

Mayor Pro Tem Curtis asked if there were any other questions ?

There were none.

Councilman Fuelling moved the ordinance pass on first reading. Seconded by Councilwoman Hoehn.

Mayor Pro Tem Curtis asked if there was any discussion ?

There was none.

Mayor Pro Tem Curtis requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Higgins – yes.

Mayor Pro Tem Curtis stated the motion carried unanimously.

Mayor Pro Tem Curtis asked if anyone in the Audience wished to address the Council?

There was no response.

Mayor Pro Tem Curtis asked if there was any Old Business ?
There was none.

Mayor Pro Tem Curtis stated under New Business the Council has letters before them from ORSANCO concerning their equipment being outdated. He added they are seeking funding to renovate their ODS, which detects organic materials in the water supply. He stated they would like Mt. Vernon to endorse their program, \$2.5M, by sending in letters from Council and Mayor Tucker to endorse their cause. Councilwoman Askren moved they proceed with the letters. Seconded by Councilman Fuelling. Mayor Pro Tem Curtis asked if there was any discussion ?
There was none.

Mayor Pro Tem Curtis requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Higgins – yes.

Mayor Pro Tem Curtis stated the motion carried unanimously.

Clerk-Treasurer Wolfe stated she has also given Council letters concerning March meetings. She added she will be out of town for the second meeting in March, therefore, the meeting could be cancelled, or they could switch to the 3rd and 5th Mondays of the month. She added she discussed this with Mayor Tucker who indicated, as in the past, he would recommend they cancel the second meeting in March. Attorney Higgins added they may need to conduct a Special Meeting sometime in March concerning the sewer project financing, just a heads up to the Council.

Councilwoman Hoehn moved the second meeting in March be canceled. Seconded by Councilwoman Askren.

Mayor Pro Tem Curtis asked if there was any discussion ?

There was none.

Mayor Pro Tem Curtis requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Higgins – yes.

Mayor Pro Tem Curtis stated the motion carried.

Mayor Pro Tem Curtis stated they will now hear the reports of the Districts.

1st District Councilwoman Askren stated she has no report.

2nd District Councilman Fuelling stated he has no report.

3rd District Councilwoman Hoehn stated she has no report.

4th District Councilman Curtis stated he has no report.

Councilwoman-at-Large Higgins stated she has no report.

Mayor Pro Tem Curtis stated Mayor Tucker had a prior commitment this evening, the Relay for Life Kickoff. With that being said, he entertains a motion to adjourn.

Councilwoman Higgins moved the meeting be adjourned. Seconded by Councilman Fuelling.

Mayor Pro Tem Curtis stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

John Tucker
Mayor

ATTEST:

Cristi L. Wolfe
Clerk-Treasurer